

Order

Michigan Supreme Court
Lansing, Michigan

February 7, 2007

130068 & (36)(37)

KELLY AND RONALD HUNTSMAN, et al,
Plaintiffs-Appellees,

v

GERRISH TOWNSHIP, et al,
Defendants,

and

PHILIP WILL, et al,
Defendants-Appellants.

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SC: 130068
COA: 262216
Roscommon CC: 04-724629-CZ

On August 11, 2006, the Court directed the Clerk to schedule oral argument on whether to grant the application for leave to appeal the October 6, 2005 order of the Court of Appeals or take other peremptory action. On September 21, 2006 and December 5, 2006, we received stipulations signed by counsel for certain parties agreeing to the dismissal of certain plaintiffs, to the vacation of the order disqualifying Roscommon Circuit Judge Michael Baumgartner, and to the dismissal of this application for leave to appeal if the disqualification order were vacated and Judge Baumgartner reassigned to the case. In light of the stipulations, the order directing the Clerk to schedule oral argument is VACATED, and the application for leave to appeal is DENIED without prejudice to any future motions that the parties may wish to bring in the Roscommon Circuit Court regarding the vacation of the disqualification order and potential reassignment of this case to Judge Baumgartner.



p0131

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 7, 2007

Corbin R. Davis

Clerk